

**AGENDA  
SUTTONS BAY TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
201 N St Marys Street, Suttons Bay  
Tuesday, September 7, 2021  
6:00 PM**

MEETING WILL BE HELD AT SUTTONS BAY BINGHAM FIRE AND RESCUE 201 N. ST MARYS STREET MEETING ROOM AS WELL AS BY Electronic remote access, in accordance with Public Act 228 of 2020 and Resolution 10 of 2021 Declaration of Local State of Emergency. The public may participate in the meeting through Zoom access by computer and smart phone using the following link: **Join Zoom Meeting**

<https://us02web.zoom.us/j/85151165351?pwd=TVpaODlXa3FEMmZhTEpDRXJlUdUpQT09>

Meeting ID: 851 5116 5351

Passcode: 269491

One tap mobile

+13126266799

**Approval of Agenda**

**Public Comment**

**Conflict of Interest**

**Approval of Minutes:** August 3 2021

**Items of Discussion/Consideration:**

1. Zoning Ordinance Overhaul Project/Mathew Cooke
  - A. Special Events Language
  - B. Land Use Map

**Reports:**

Zoning Administrator

Planner:

Township Board:

Chair Comments:

Steve Patmore

Mathew Cooke, Networks Northwest

Tom Nixon

Dennis Rathnaw

**Commissioners' Comments**

**Public Comment**

**Next Meeting Agenda October 5, 2021**

**Adjournment (8:00 PM unless extended by a motion.)**

**Commission Packets can be viewed at: <https://www.leelanau.gov/suttonsbaytwppln.asp>**

*This meeting is a session of the Suttons Bay Township Planning Commission held in public for the purpose of conducting the Commission's business and is not to be considered a public community meeting. There is time set aside for public comment during the meeting as noted on the Agenda, and the Planning Commission welcomes the public's input at that time.*

Draft Minutes

**SUTTONS BAY TOWNSHIP**

**REGULAR PLANNING COMMISSION MEETING – August 3, 2021**

**CALL TO ORDER**

Dennis Rathnaw, Chair, called the Suttons Bay Township Planning Commission Meeting to order on Tuesday, August 3, 2021 at the Suttons Bay Fire Department, 201 N. St Marys Street in Suttons Bay Township, Michigan. The meeting was held in person with zoom attendance.

**ROLL CALL** - Quorum Present

Present: Dennis Rathnaw, Chair, Tom Nixon, Doug Periard, Don Gregory, Andy Brandt

Absent: Amy Coleman, Rhoda Johnson, Susan Odom and Dee McClure.

Staff Present: Steve Patmore, Mathew Cooke

**Approval of the Agenda**

*Andy Brandt/moved, Don Gregory/supported, to approve the agenda as submitted, PASSED.*

**Approval of the Minutes**

*Tom Nixon/moved, Andy Brandt/supported, to approve the July 6, 2021 Minutes as amended PASSED.*

**Public Comment**

None.

**Conflict of Interest**

None.

**Items of Discussion/Consideration**

Zoning Ordinance Overhaul Project

The Chair stated he had met with Steve Patmore and Mathew Cooke to discuss the special event language. He noted that they had three options. 1) Keep Special Events in the Ag district and modify it; 2) Limit special events to breweries and wineries; or 3) remove it entirely.

Mathew stated that they looked at having events end at 10:00 p.m., adding an event management plan. They also discussed providing for a temporary (probationary) permitting process and allowing the applicant to come back to the commission after a year. Steve added that we would need to check with the attorney to see if a probationary period is allowed.

## Commission Discussion:

Commission members stated that they felt the webinar series was very helpful. The commission members also discussed the following:

- Where should special events be allowed. If they are to be allowed in the agriculture district, should they support agriculture activities.
- How do we find a good balance and be a good steward of the land—by supporting tourism as well as staving off development.
- Should a commercial farm be defined by something other than a monetary amount of revenue. Does GAAMP provide language to use.
- Should the commission remove the amendment regarding new buildings. Should the zoning ordinance allow for new builds as long as the new construction is primary to agricultural use and secondary to an event. Should the new building be located as far as possible from the property lines.
- Should the language require the applicant to provide an event management plan that takes into consideration all the concerns/conditions that are usually discussed such as: provide a sound management plan, an event traffic plan, a catering plan etc. This way when the applicant brings in the site plan it is a smooth process for both the commission members and the applicant.
- Should the applicant reside on the property or have an event manager on site.
- Should the language exempt events of 60 or less. Should there be a list of those core events that require a permit and those peripheral events that may not.

Steve will check with the attorney to see if a “probationary” permit is allowed.

## 2. Schedule of Status of Project.

Commission members would like to see a full draft of the Ordinance once the special events language is drafted. Don Gregory would like the commission do a final review of the Zoning land use map.

### **REPORTS:**

Zoning Administrator - Written report submitted. Steve added that the application for an appeal was received from Leelanau Watersports.

Planner - No further items to report.

Township Board - The PILOT for Vineyard View Apartments was approved at the Township

Board level. Coronavirus Local Fiscal Recovery funds have been applied for and the Township Board is seeking community members for boards and commissions.

Chair Comments: Dennis asked that the commission members review the 4<sup>th</sup> recording of the Farm Webinar as it focuses on special events.

Commissioner Comments - None

**Public Comment** - None.

**Next meeting Agenda – September 7, 2021**

**ADJOURNMENT** - Chair Rathnaw adjourned the meeting at 7:36 p.m.

**Minutes by Dorothy Petroskey**  
**Amy Coleman, Planning Commission Secretary**

September 7, 2021

To: Suttons Bay Township Planning Commission  
Fr: Mathew Cooke, Community Planner  
Re: Annual Report and Zoning Ordinance Overhaul

Special Events-ZOO

The following items were documented as points to address from the July 6, 2021 meeting.

*Temporary Permits:* Rob Carson, Director of Community Development at Networks Northwest, will be attending the meeting via Zoom to discuss the use of Temporary Permits being used for special events. Rob has previous experience doing this within Manistee County's municipalities.

*Probation Period:* Steve was going to check what Leland Township was working towards or recently stated. If the Planning Commission would like, we can insert language that would allow the Planning Commission to approve special uses on a probation status for a year or a certain number of events.

*Commercial Farm Definition: Commercial Farm:* a farm which had produced agricultural or horticultural products worth \$2,500 or more annually for at least three of the past five years.

- Contact was made with MSU Extension to look into defining commercial farms and how it relates with the Right to Farm Act. I expect to have updated information for the meeting.

*Event Management Plan:* Addition of a sound management aspect.

*On Site Manager:* Included in event management plan and added as a condition

Zoning Map

Attached is the Zoning Map that was previously updated as part of the ZOO work with Kathy Egan. This was requested for evaluation and discussion at the previous meeting. I also attached the information sheet on the zoning districts for reference.

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## **Section 14.23      Special Events**

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When permitted, special land use activities should have minimal impact on other properties and its residents, and on the ongoing active agriculture practices in the district. Special events may be allowed in the Agricultural District. Agritourism uses may be a primary or accessory use on the parcel, although special events shall always be considered an accessory use. All of these uses shall be farm related and shall not detract from the agricultural emphasis of the farm. Special events do not preclude personal uses (i.e. graduation parties) by property owners or lessees.

**A. Special Events Parcel Requirements:**

1. For special events the parcel must be a licensed winery or cidery with a pre-approved special land use permit or a commercial farm of at least twenty-five (25) acres with a minimum lot width of at least three-hundred-twenty-five (325) feet.
2. Special events taking place in a structure must be within a building built before May 27, 2016 [[effective date of amendment]] or in a permitted winery or cidery.

**B. Special Events Setbacks:**

1. All buildings and structures, including tents, open to the public shall be not less than forty (40) feet from any right-of-way, and shall be set back at least one hundred (100) feet from any lot line.
2. Preexisting structures prior to the date of the adoption of this ordinance (1993) may be utilized. To encourage the use of existing buildings, the setback requirements may be reduced to the other standards of the district, subject to site plan review by the planning commission.
3. The planning commission may require greater setbacks if necessary to buffer adjacent properties as determined during the Special Land use permit process.

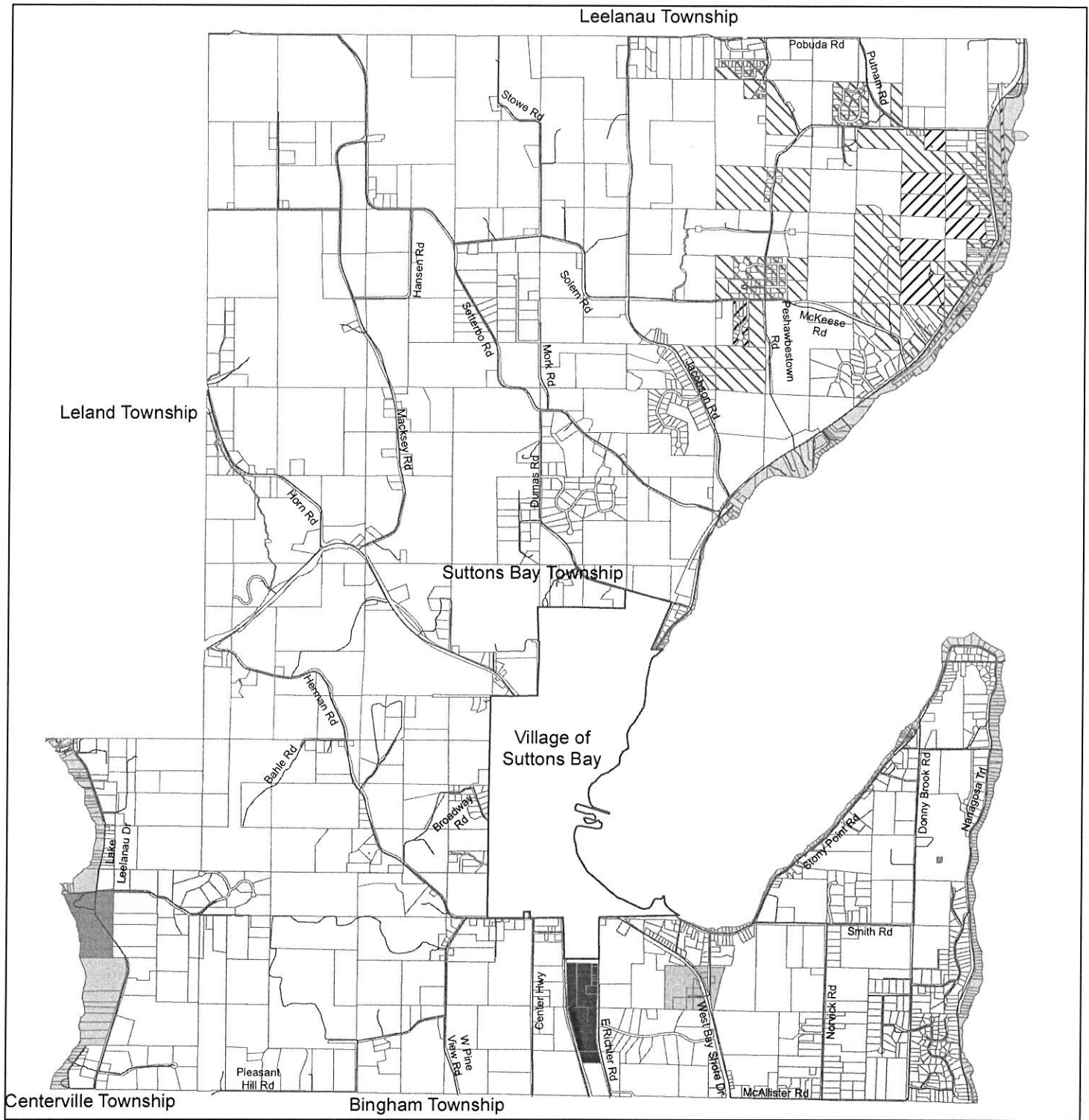
**B. Special Events Conditions:**

1. The number of special events of more than sixty (60) people shall be determined by the planning commission at site plan review and shall not exceed four (4) per month during the months of May through October, and not more than three (3) during each of the other months.
  2. All activities must be completed by 12:00 AM. Any music or entertainment provided for the event must be for background purposes only, not a featured segment of the activity, and completed by 10:00 PM on Sundays through Thursday and 11:00 PM on Friday and Saturday.
  3. Sound amplifiers are permitted inside of buildings only as determined in site plan review. At no time will the sound decibel level exceed 60 decibels, measured 50 feet from any property lines.
  4. The operator must have a written statement from the County Health Department indicating the maximum number of persons that can be accommodated with existing toilet facilities. Additional portable toilets must be provided for any guests exceeding the aforementioned number.
  5. The applicant shall maintain a log of the activities including dates, group identity, times and number of guests. This list must be signed and certified by the permit
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holder as to its accuracy and submitted to Suttons Bay Township annually, no later than March 1 for the previous calendar year.

6. There must be an on-site manager during the duration of the entire event (set up, clean up, etc.).
  7. An Event Management Plan (EMP) approved by the planning commission at a public hearing. The following information must be provided in the EMP.
    - a. General description of the Special Event Venue.
    - b. Types of events anticipated and total number and frequency of events
    - c. Proposed maximum number of guests.
    - d. Detailed specifics of where events will take place.
    - e. How power will be provided (generators?).
    - f. How potable water will be provided.
    - g. How garbage and recycling will be removed.
    - h. Contact information for on-site event manager and owner.
    - i. Established maximum occupancy for each building.
    - j. How sound will be monitored and managed? (Type of sound, duration, mitigation efforts, etc)
    - k. How outdoor lighting will be managed?
  8. A site plan must be approved by the planning commission at a public hearing. The following information must be provided in addition to information required for Minor Project Site Plan Review as per Section 19.6.
    - a. Existing and proposed structures, including tents, with maximum capacity of each building where guests have access as established by the fire marshall.
    - b. The maximum number of people attending a single event.
    - c. Location of temporary toilet facilities, which may be required.
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# ZONING MAP

SUTTONS BAY TOWNSHIP,  
LEELANAU COUNTY

DRAFT

Date | October 2020

Source | Leelanau County Equalization

## Districts

- Agricultural
- Rural Residential
- Neighborhood Residential
- Shoreline Residential
- C-1 M-22

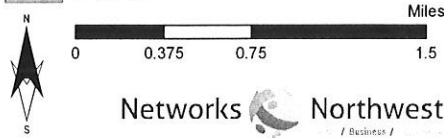
C-2 Richter Road

Waterfront Resort

## GTBOCI

Federal Trust Land

Non Trust Land



Networks Northwest  
/ Business /

The lines of this map are representational of the actual Township boundary and parcel lines and are not intended to be substituted for an official survey or used to resolve boundary or area discrepancies. Consult official Suttons Bay Township records for precise distances, boundaries or areas.

Federal Trust and Non-Trust Lands are under the jurisdiction of the Grand Traverse Band of Ottawa and Chippewa Indians.

**CERTIFICATION**  
I, Sandy VanHuystee, Township Clerk, Suttons Bay Township, do hereby certify that this is a true copy of the map adopted by the Township Board for Suttons Bay Township, Leelanau County, Michigan, as amended on the revision date noted.

Sandy VanHuystee, Clerk, Suttons Bay Township,  
Leelanau County, Michigan

Date: \_\_\_\_\_



**Suttons Bay Township**  
**Proposed Zoning Districts**  
**District Intent and Dimensional Requirements Summary**

**Shoreline Residential**

This district of smaller parcels is primarily for residential use along the Grand Traverse Bay and Lake Leelanau shorelines.

- A. **Lot Area:** Single-family or Duplex dwelling: Minimum (20,000) square feet.
- B. **Road Frontage Width:** one-hundred (100) feet minimum
- C. **Road-side Setback:** Forty (40) feet minimum from the road right-of-way.
- D. **Side Setback:** Single-family dwelling, accessory dwelling unit, duplex dwelling, or Type 2 Outbuilding: Ten (10) feet minimum.
- E. **Shoreline Setback:** Fifty (50) feet minimum from the Ordinary High Water Mark (IGLD).
- F. **Rear Setback:** for inland portions of parcels that are divided by a road is thirty (30) feet minimum.

**Rural Residential**

This district of smaller parcels is primarily for residential use in areas of the township not suitable for agricultural use.

- G. **Lot Area:** minimum one (1) acre.
- H. **Road Frontage Width:** One-hundred-fifty (150) feet minimum
- I. **Front Setback:** Forty (40) feet minimum from the road right-of-way. The front setback on private roads is thirty (30) feet minimum from the road right-of-way.
- J. **Side Setback:** Single-family dwelling, accessory dwelling unit, singular duplex dwelling, or Type 2 Outbuilding: Fifteen (15) feet minimum.
- K. **Rear Setback:** Thirty (30) feet minimum.

**Neighborhood Residential**

It is the intent of this district that parcels be developed as a coordinated neighborhood with a variety of housing types located in close proximity to each other and to the Village of Suttons Bay.

- A. **Lot Area:**
  - i. **Lot Width:** Sixty (60) feet minimum to one-hundred-twenty (120) feet maximum.
  - ii. **Lot Depth:** One-hundred (100) feet minimum to one-hundred-twenty (120) feet maximum.
- B. **Front Setback:**
  - 1. Thirty (30) feet minimum from the road right-of-way for county roads.
  - 2. Twenty (20) feet maximum from new public or private roads within a housing development.
  - 3. **Garage setback:** Twenty (20) feet minimum from the front eave line of the primary structure.
- C. **Rear Setback:** Fifteen (15) feet minimum.
- D. **Side Setback:** Minimum of twenty (20) feet total with a minimum of seven (7) feet on one side.

### **C-1 – M-22 Commercial**

This district encompasses areas along M-22. It is the intent of this district to mitigate the negative impacts of lineal “strip” developments along the highway, and to promote a natural gateway corridor to the Village. It is intended to accommodate those retail, business activities, and uses that serve the community.

- A. **Lot Area:** There is no minimum lot area for this district with a minimum lot area for specific uses.
- B. **Road Frontage Width:** Twenty-five (25) feet minimum width .
- C. **Road Setback:** One of the following shall apply:
  - 1. Setback on M-22 may be determined by the average setback from the M-22 road centerline of the two (2) adjacent buildings (+/- five (5) feet), as long as the building is not in the right-of-way.
  - 2. Setbacks from county or private roads shall be a minimum of twenty (20) feet from the road right-of-way and a maximum of thirty (30) feet.
- D. **Side Setback:**
  - 1. The minimum side setback shall be ten (10) feet, or
  - 2. Side setbacks shall be thirty (30) feet minimum if the parcel is located adjacent to a residential or agricultural district.
- E. **Rear Setback:**
  - 1. The minimum rear setback shall be ten (10) feet, or
  - 2. Side setbacks shall be thirty (30) feet minimum if the parcel is located adjacent to a residential or agricultural district.

### **C-2 – Richter Rd. Commercial**

This district encompasses an area along Richter Road where a mixture of residential, commercial, and industrial uses exists. The purpose of this district is to provide an area for businesses that require a larger parcel size and are light industrial in nature.

- A. **Lot Area:** There is no minimum lot area for this district with a minimum lot area for specific uses.
- B. **Road Frontage Width:** Sixty-five (65) feet minimum
- C. **Front Setback:** Twenty (20) feet minimum from the road right-of-way
- D. **Side Setback:**
  - 1. The minimum side setback shall be twenty (20) feet, or
  - 2. Side setback shall be sixty (60) feet minimum if the parcel is located adjacent to a residential or agricultural district.
- E. **Rear Setback:**
  - 1. The minimum rear setback shall be twenty (20) feet, or
  - 2. Rear setback shall be sixty (60) feet minimum if the parcel is located adjacent to a residential or agricultural district.

## **Agricultural**

The purpose of this district is to accommodate change while preserving the rural character of the district and the important natural resources.

- A. **Lot Area:** There is no minimum lot area for this district
- B. **Road Frontage Width:** Two-hundred (200) feet minimum
- C. **Front Setback:** Forty (40) feet minimum from the road right-of-way. The front setback on private roads is thirty (30) feet minimum from the road right-of-way.
- D. **Side Setback:**
  - 1. Single-family dwelling, accessory dwelling unit, singular duplex dwelling, or Type 2 Outbuilding: Thirty (30) feet minimum.
  - 2. Type 3 or Type 4 Outbuilding: Fifty (50) feet minimum.
- E. **Rear Setback:**
  - 1. Single-family dwelling, accessory dwelling unit, singular duplex dwelling, or Type 2 Outbuilding: Thirty (30) feet minimum.
  - 2. Type 3 Outbuilding, or Type 4 Outbuilding: Fifty (50) feet minimum.

## **Waterfront Resort**

This district is for unique and historic riparian property located on Lake Leelanau for commercial resort purposes. The purpose of this district is to provide use and design flexibility that fits into the rural character, and protects its scenic, historic, and environmental resources.

- A. **Minimum Waterfront Lot Width:** minimum 500 feet.
- B. **Road Frontage Width:** minimum 400 feet.
- C. **Waterfront Setback:** minimum 50 feet upland from the water's edge.
- D. **Road Setback:** minimum 40 feet from the road right-of-way.
- E. **Side Yard Setback:** 50 feet minimum.

# ZONING ADMINISTRATOR'S REPORT

## SUTTONS BAY TOWNSHIP

August 2021 (to-date)

For September 2021 Planning Commission and Township Board Meetings

Prepared by Steve Patmore  
As of August 30, 2021

### LAND USE PERMITS ISSUED

		NEW		ACCESSORY	
DATE	TOTAL	HOMES	ADDITIONS	STRUCTURES	OTHER
August 2021 (to date)	7	0	3	4	0
Year To Date	32	13	8	10	1
Year to date 2020	24	7	4	12	1
Year to date 2019	24	13	7	4	0
Year to date 2018	29	15	5	9	0
Year to date 2017	26	7	4	12	3
Year to date 2016	24	6	8	8	2
Year to date 2015	20	10	4	5	1
Year to date 2014	11	1	3	7	0

415 S. Nanagosa Ct. – access. bldg  
1719 Apple Ct. – addition  
3300 N. Putnam Rd – accessory bldg.  
1551 S. Donnybrook - addition  
1650 N. West Bayshore Dr. – access. bldg  
855 S. Stony Point Rd. – Addition  
2540 N. Evergreen Valley – access. bldg.

2 revisions or extensions to existing Land Use Permits

### Land Divisions:

- Land Division Application formally approved for two new parcels on Solem Rd.
- Land Division Application pending for one new parcel on Macksey Rd.
- Several questions about splitting of land.

### Zoning Board of Appeals:

- Application pending for Appeal of Site Plan Review.

### Short Term Rentals:

- 32 Short-Term Rental Permits issued for 2021 (26 Renewal Permits– 6 New Permits).
- Notices were sent out.

### Other:

- Inquiry about cellular tower.
- Inquiry about campground and farm-stay campsites.
- Many general questions on properties.